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On

4-8-04

TOWNSEND and TOWNSEND and CREW LLP

By:

Jordan Clark

**PATENT**  
Attorney Docket No.: 020460-001000US  
Client Reference No.: 150-1-CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

SIRHAN, Motasim et al.

Application No.: 10/017,500

Filed: December 14, 2001

For: APPARATUS AND METHODS  
FOR VARIABLY CONTROLLED  
SUBSTANCE DELIVERY FROM  
IMPLANTED PROSTHESES

Examiner: Hieu Phan

Art Unit: 3762

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

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Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references are enclosed.

Also enclosed is a copy of the Search/Examination report corresponding to the European application.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

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As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

CERTIFICATION

I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Nena Bains  
Reg. No. 47,400

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NB/lc



Information Disclosure Statement by Applicant <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
Sheet	1	of	1	Application Number	10/017,500
				Filing Date	December 14, 2001
				First Named Inventor	SIRHAN, MOTASIM
				Art Unit	3762
				Examiner Name	Hieu Phan
				Attorney Docket Number	020460-001000US

<b>U.S. PATENT DOCUMENTS+</b>						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
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<b>FOREIGN PATENT DOCUMENTS</b>								
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		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	0001	EP	0 923 953	A2	06-23-1999	Schneider, Inc.		<input type="checkbox"/>
	0002	WO	00/10622	A1	03-02-2000	Cook, Inc.		<input type="checkbox"/>
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<b>NON PATENT LITERATURE DOCUMENTS</b>							
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					T <sup>2</sup>

Examiner Signature		Date Considered	
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>Applicant is to place a check mark here if English language Translation is attached.



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PTO/SB/21 (08-03)

3762

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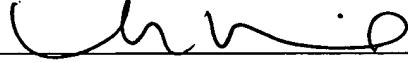
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/017,500
		Filing Date	December 14, 2001
		First Named Inventor	SIRHAN, MOTASIM
		Art Unit	3762
		Examiner Name	Hieu Phan
Total Number of Pages in This Submission	4	Attorney Docket Number	020460-001000US

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Return Postcard cited references EP Search Report
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

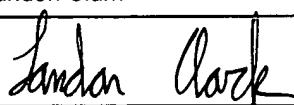
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Nena Bains	
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### CERTIFICATE OF TRANSMISSION/MAILING

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